

report that assesses the military posture of Taiwan and the United States as it specifically pertains to the deterrence of military conflict and conflict readiness in the Taiwan Strait. In light of the changing military balance in the Taiwan Strait, the report should include analysis of whether current Taiwan and United States policies sufficiently deter efforts to determine the future of Taiwan by other than peaceful means.

#### SEC. 1299B. DEFINITIONS.

In this subtitle:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) **SHARP POWER.**—The term “sharp power” means the coordinated and often concealed application of disinformation, media manipulation, economic coercion, cyber-intrusions, targeted investments, and academic censorship that is intended—

(A) to corrupt political and nongovernmental institutions and interfere in democratic elections and encourage self-censorship of views at odds with those of the Government of the People's Republic of China or the Chinese Communist Party; or

(B) to foster attitudes, behavior, decisions, or outcomes in Taiwan and elsewhere that support the interests of the Government of the People's Republic of China or the Chinese Communist Party.

**SA 4366.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

#### Subtitle H—Countering Chinese Influence

##### SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Countering the Chinese Government and Communist Party's Political Influence Operations Act”.

##### SEC. 1292. DEFINITIONS.

In this subtitle:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Foreign Relations of the Senate;

(D) the Committee on Health, Education, Labor, and Pensions of the Senate;

(E) the Committee on the Judiciary of the Senate;

(F) the Select Committee on Intelligence of the Senate;

(G) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(H) the Committee on Appropriations of the House of Representatives;

(I) the Committee on Armed Services of the House of Representatives;

(J) the Committee on Education and Labor of the House of Representatives;

(K) the Committee on Foreign Affairs of the House of Representatives;

(L) the Committee on the Judiciary of the House of Representatives;

(M) the Permanent Select Committee on Intelligence of the House of Representatives; and

(N) the Committee on Financial Services of the House of Representatives.

(2) **POLITICAL INFLUENCE OPERATIONS.**—The term “political influence operations” means the coordinated and often concealed application of disinformation, press manipulation, economic coercion, targeted investments, corruption, or academic censorship, which are often intended—

(A) to coerce and corrupt United States interests, values, institutions, or individuals; and

(B) to foster attitudes, behavior, decisions, or outcomes in the United States that support the interests of the Government of the People's Republic of China or the Chinese Communist Party.

##### SEC. 1293. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to clearly differentiate between the Chinese people and culture and the Government of the People's Republic of China and the Chinese Communist Party in official statements, media messaging, and policy;

(2) to clearly differentiate between legal, internationally accepted public diplomacy and strategic communications campaigns and illicit activities to undermine democratic institutions or freedoms;

(3) to protect United States citizens and legal residents from malign or coercive political influence operations;

(4) to enhance cooperation and coordination with the United Kingdom, Australia, Canada, New Zealand, Japan, Taiwan, Singapore, and the members of the European Union, whose governments and institutions have faced acute pressure from the political influence operations of the Government of the People's Republic of China and the Chinese Communist Party, and with other allies throughout the world;

(5) to create strategies to ensure that countries in Africa, the Western Hemisphere, Southeast Asia, and elsewhere are aware of the People's Republic of China's “sharp power” tactics, including the Chinese Communist Party's party-to-party training program, which is designed to instill admiration and emulation of Beijing's governance model and weaken democracy in these regions, and provide needed capacity to counter them effectively;

(6) to implement more advanced transparency requirements concerning collaboration with Chinese actors for media agencies, universities, think tanks, and government officials;

(7) to use various forums to raise awareness about—

(A) the goals and methods of the political influence operations of the Government of the People's Republic of China and the Chinese Communist Party; and

(B) common patterns and approaches used by Chinese intelligence agencies or related actors;

(8) to require greater transparency for Confucius Institutes, think tanks, academic programs, and nongovernmental organizations funded primarily by the Government of the People's Republic of China and the Chinese Communist Party, or by individuals or public or private organizations with a demonstrable affiliation with the Government of the People's Republic of China and the Chinese Communist Party that are operating in the United States to register through the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) or a comparable mechanism;

(9) to seek ways to increase Chinese language proficiency among mid-career professionals that do not rely on funding linked to

the Government of the People's Republic of China;

(10) to ensure that existing tools are sufficiently screening for the risk of Chinese influence operations; and

(11) to create more flexible tools, as needed, with the goals of—

(A) screening investments from the Government of the People's Republic of China or sources backed by such government to protect against the takeover of United States companies by Chinese state-owned or state-driven entities; and

(B) protecting institutions or business sectors critically important to United States national security and the viability of democratic institutions.

##### SEC. 1294. STRATEGY TO COUNTER “SHARP POWER” POLITICAL INFLUENCE OPERATIONS AND TO PROTECT UNITED STATES CITIZENS.

(a) **IN GENERAL.**—The Secretary of State and the Secretary of Homeland Security, in coordination with all relevant Federal agencies, shall develop a long-term strategy—

(1) to carry out the policy set forth in section 1293(c);

(2) to effectively counter the “sharp power” political influence operations of the Chinese Communist Party globally and in the United States;

(3) to ensure that United States citizens, particularly Chinese Americans and members of the Chinese, Uyghur, Mongolian, Korean, Taiwanese, and Tibetan diaspora who are often the victims and primary targets of malign political influence operations, are protected;

(4) to ensure that—

(A) the United States Government strategy to protect the communities described in paragraph (3) is clearly communicated by relevant Federal officials; and

(B) secure outlets are created for reporting on intimidation and surveillance;

(5) to ensure that Chinese nationals who are legally studying, living, or working temporarily in the United States know that intimidation or surveillance by the Government of the People's Republic of China and the Chinese Communist Party is an unacceptable invasion of their rights while they reside in the United States;

(6) to provide secure outlets for reporting on intimidation and surveillance; and

(7) to identify new tools or authorities necessary to implement this strategy.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State or an appropriate high-ranking official shall—

(1) submit an unclassified report, which may include a classified annex, containing the strategy required under subsection (a) to the appropriate congressional committees; or

(2) describe the strategy required under subsection (a) through unclassified testimony before the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives.

##### SEC. 1295. REPORT ON THE POLITICAL INFLUENCE OPERATIONS OF THE GOVERNMENT OF CHINA AND THE CHINESE COMMUNIST PARTY.

(a) **IN GENERAL.**—Because it is important for United States policymakers and the American people to be informed about the influence operations described in section 1293, not later than 270 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Director of National Intelligence, and in consultation with the heads of relevant Federal departments and agencies, shall submit an unclassified report,

which may include a classified annex, to the appropriate congressional committees that describes the political influence operations of the Government of the People's Republic of China and the Chinese Communist Party affecting the United States and select allies and partners, including the United Kingdom, Canada, Australia, New Zealand, Taiwan, and Japan, including efforts—

(1) to exert influence over United States governmental or nongovernmental institutions or individuals, or government officials among United States allies and partners;

(2) to coerce or threaten United States citizens or legal permanent residents or their families and associates living in China or elsewhere;

(3) to undermine democratic institutions and the freedoms of speech, expression, the press, association, assembly, religion, or academic thought;

(4) to otherwise suppress information in public fora, in the United States and abroad; or

(5) to develop or obtain property, facilities, infrastructure, business entities, or other assets for use in facilitating the activities described in paragraphs (1) through (4).

(b) CONTENTS.—The report required under subsection (a) shall include recommendations for the President and Congress relating to—

(1) the need for additional resources or authorities to counter political influence operations in the United States directed by the Government of the People's Republic of China and the Chinese Communist Party, including operations carried out in concert with allies;

(2) whether a permanent office to monitor and respond to political influence operations of the Government of the People's Republic of China and the Chinese Communist Party should be established within the Department of State or within the Office of the Director of National Intelligence; and

(3) whether regular public reports on the political influence operations of the Government of the People's Republic of China and the Chinese Communist Party are needed to inform Congress and the American people of the scale and scope of such operations.

**SA 4367.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

**SEC. 1253. IMPOSITION OF SANCTIONS WITH RESPECT TO ESTABLISHMENT OR MAINTENANCE OF MILITARY INSTALLATIONS OF PEOPLE'S LIBERATION ARMY.**

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to each foreign person that the President determines facilitates the establishment or maintenance of a military installation of the People's Liberation Army outside of the People's Republic of China.

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed under subsection (a) with respect to a foreign person described in that subsection are the following:

(1) ASSET BLOCKING.—The President shall exercise all of the powers granted to the

President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (a) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise the authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (b)(2) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(B) to carry out or assist law enforcement activity in the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(e) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms “admission”, “admitted”, and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FOREIGN PERSON.—The term “foreign person” means any person that is not a United States person.

(3) UNITED STATES PERSON.—The term “United States person” means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

**SA 4368.** Mr. RUBIO (for himself, Mrs. FEINSTEIN, and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. SANCTIONING AND STOPPING RANSOMWARE.**

(a) CYBERSECURITY STANDARDS FOR CRITICAL INFRASTRUCTURE.—

(1) IN GENERAL.—Title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

**“Subtitle C—Cybersecurity Standards for Critical Infrastructure**  
**“SEC. 2231. DEFINITION OF CRITICAL INFRASTRUCTURE ENTITY.**

“In this subtitle, the term ‘critical infrastructure entity’ means an owner or operator of critical infrastructure.

**“SEC. 2232 CYBERSECURITY STANDARDS.**

“(a) IN GENERAL.—The Secretary, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, shall develop and promulgate mandatory cybersecurity standards for critical infrastructure entities.

“(b) HARMONIZATION AND INCORPORATION.—In developing the cybersecurity standards required under subsection (a), the Secretary shall—

“(1) to the greatest extent practicable, ensure the cybersecurity standards are consistent with Federal regulations existing as of the date on enactment of this section; and

“(2) in coordination with the Director of the National Institute of Standards and Technology, ensure that the cybersecurity standards incorporate, to the greatest extent practicable, the standards developed with facilitation and support from the Director of the National Institute of Standards and Technology under section 2(c)(15) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)(15)).

“(c) COMPLIANCE ASSESSMENT.—Not less frequently than annually, the Secretary, in coordination with the heads of Sector Risk Management Agencies, shall assess the compliance of each critical infrastructure entity with the cybersecurity standards developed under subsection (a).”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b)